

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
O.O.C.J.

CHAMBER SUMMONS NO. 1467 OF 2004
IN
SUMMARY SUIT NO. 1835 OF 2004

Bajaj Auto Limited Plaintiff
vs.
Madhya Pradesh Electricity
Board and Ors. Defendants

Mr. Palkhiwala i/b. Dhruv and Co. for the
plaintiffs.

Mr. K.R. Belosay for the Govt. at Madhyapradesh.

K. Nanshi for defendant no.2.

M. Londhe i/b. Sudeshi and Co. for defnd.no.1.

Mr. Shinde i/b. M. Dhruv and Co. for defendant
no.3.

CORAM: S.U. KAMDAR, J.

DATE : 2ND MAY, 2005.

P.C. :

1. The present chamber summons is taken
out for amendment of the plaint by impleading
Government of Madhyapradesh as party defendant to

the suit. However, it is the case of the respondent that the Govt of Madhya Pradesh is not concerned with the suit. transactions and in fact in view of the bifurcation of the state between Madhya Pradesh and Chattisgarh. The aforesaid liability if any has been transferred to Chattisgarh with the power station. The said issue cannot be decided at the hearing of the present chamber summons. The said issue will have to be raised by the respondent after being impleaded in the suit. The said issue being on merits of the controversy is expressly kept open to be decided at the trial of the suit. Chamber summons made absolute accordingly. No order as to costs.

sd/-
